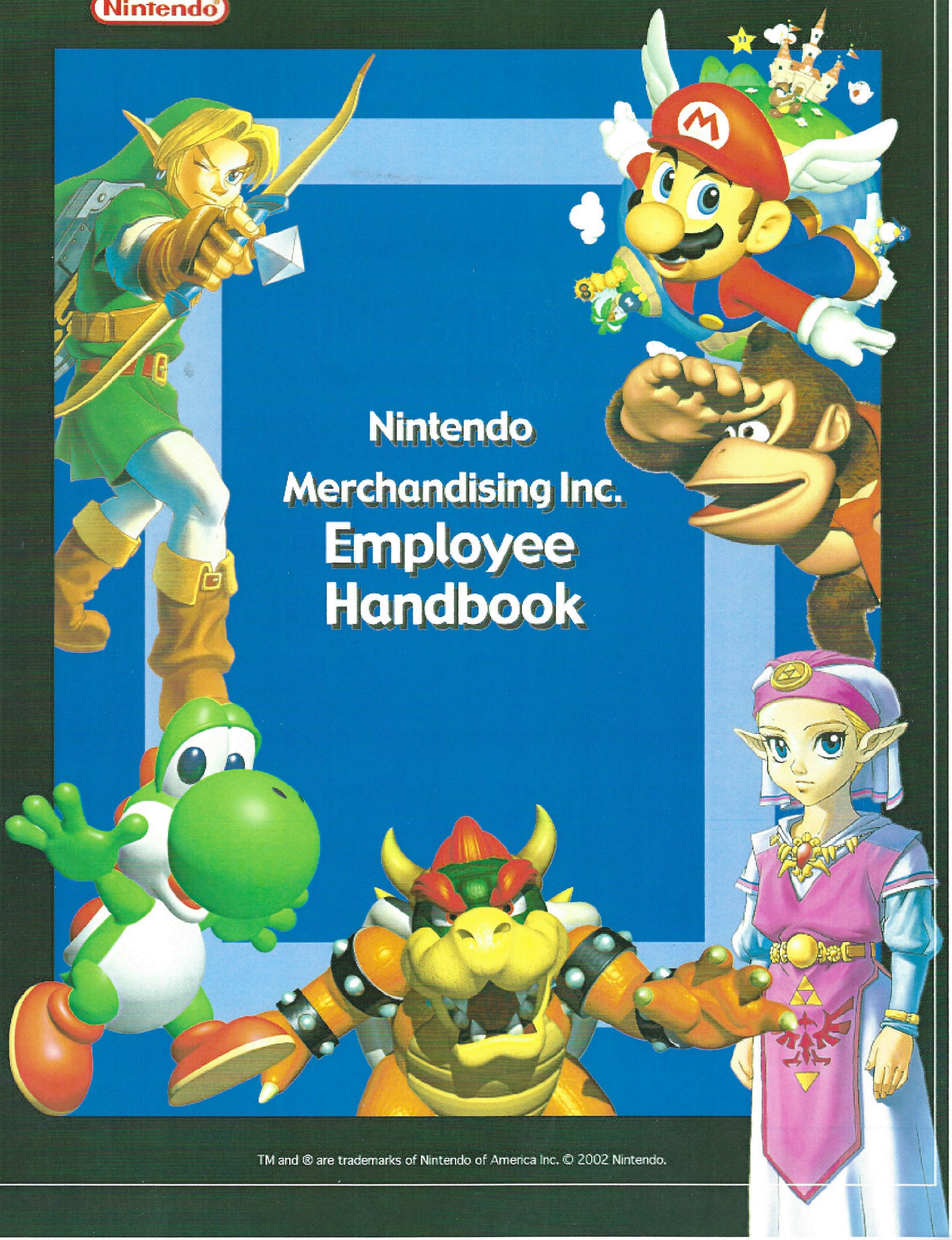

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Employee Handbook

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1. INTRODUCTION

Welcome to NMI!

We are proud to have you as an employee. At NES Merchandising Inc. (NMI), we believe that people are our most valuable asset. Your hard work and commitment enable us to create, market and support superior products. In return, we want you to share in our success as the world's leader in interactive home entertainment.

Tatsumi Kimishima
President

Robert Stoik
NMI Director

About This Handbook

This handbook is provided to communicate general company policies and benefits. It is not intended to create an express or implied contract of employment, but rather a general statement of NMI's policy. None of the provisions of this handbook, nor any other company policy, procedure, or communication alters, modifies, or amends the "at will" nature of NMI employment. Accordingly, employment at NMI may be terminated by the employee or the company at any time, with or without cause, or notice. NMI reserves the right to unilaterally delete, change or add to its policies at any time, as it deems necessary. This handbook supersedes and replaces any previous employee handbooks, policy statements and/or memoranda.

Employees are required to sign and return a copy of the Legal Acknowledgment and Authorization which may be found at the back of this handbook.

About NMI

Nintendo of America Inc., based in Redmond, Washington, is a wholly owned subsidiary of the world's largest manufacturer and marketer of video games, Nintendo Co., Ltd., headquartered in Kyoto, Japan. NMI is a wholly-owned subsidiary of Nintendo of America Inc.

Corporate Mission and Philosophy

At NMI, we are proud to be working for the leading company in our industry. We are strongly committed to producing and marketing the best products and support services available. We believe it is essential not only to provide products of the highest quality, but to treat every customer with attention, consideration and respect. By listening closely to our customers, we constantly improve our products and services.

We feel an equal commitment toward our employees. We want to maintain an atmosphere in which talented individuals can work together as a team. Commitment and enthusiasm are crucial to the high quality of our products and support services. We believe in treating our employees with the same consideration and respect that we, as a company, show our customers.

Mario Philosophy

1. To the retailer, you are Nintendo. Each encounter you have with a retailer will result in either a positive or negative impression. This impression directly affects the sale of Nintendo product and the overall company image.

2. Your main goal is to create fun, excitement and enthusiasm about Nintendo products. You can achieve this through visual and verbal action.

3. If you are helpful, enthusiastic and concerned, people will be impressed with you and Nintendo of America Inc.

4. Your appearance is a direct reflection upon the company. Wearing apparel that is distracting or inappropriate for the work place creates an unprofessional image. By dressing in business attire and always conducting yourself in a professional manner, the image you promote will remain positive. See Appearance Guidelines.

5. By building and maintaining strong rapport with store personnel, you can make a positive impact on our ability to compete in the marketplace. Once good rapport has been established, store personnel will be willing to listen to you opinion and trust your expertise in the area of merchandising and selling Nintendo product. A careless word or an indifferent attitude can create animosity and long-term difficulties.

6. You have the power to make Nintendo successful by differentiating our product

from the competitors. This can be accomplished by educating store personnel on the superiority of our product, our competitive market prices and our commitment to customer service and satisfaction.

7. A true organizational chart is really like an upside down pyramid. Who is on top? The customer and retailer. Who is next? All of our retail representatives, as you are Nintendo to the retailers. Who is on the bottom? Management, as you are our customer and we are here to provide support.

8. Ask yourself, **Who is my customer?** Asking this question of yourself will help you to identify your priorities.

9. Bottom line: **You can Make a Difference – the Nintendo Difference!!**

The Nintendo Story

Nintendo Co., Ltd., of Kyoto, Japan, is the acknowledged worldwide leader in the creation of interactive entertainment. To date, Nintendo has sold more than one billion video games worldwide, created such industry icons as Mario and Donkey Kong and launched franchises like The Legend of Zelda and Pokémon. Nintendo manufactures and markets hardware and software for its popular home video game systems, including Nintendo 64 and Game Boy - the world's best-selling video game system.

As a wholly owned subsidiary, Nintendo of America Inc., based in Redmond, Washington, serves as headquarters for Nintendo's operations in the Western Hemisphere, where more than 40 percent of American households own a Nintendo game system.

1889 - Fusajiro Yamauchi began manufacturing "Hanafuda," Japanese playing cards in Kyoto.

1902 - Mr. Yamauchi started manufacturing the first playing cards in Japan. Originally for export, the product became popular in Japan as well as abroad.

1933 - Established an unlimited partnership, Yamauchi Nintendo & Co.

1947 - Began a distribution company, Marufuku Co. Ltd.

1950 - Hiroshi Yamauchi took office as President and absorbed the manufacturing operation of Yamauchi Nintendo & Co.

1951 - Changed the company name from Marufuku Co. Ltd. to Nintendo Playing Card Co. Ltd.

1952 - Consolidated factories were dispersed in Kyoto.

1953 - Became the first to succeed in manufacturing mass-produced plastic playing cards in Japan.

1959 - Started selling cards printed with Walt Disney characters, opening a new market in children's playing cards. The card department boomed!

1962 - In January, listed stock on the second section of the Osaka Stock Exchange and on the Kyoto Stock Exchange.

1963 - Changed company name to Nintendo Co. Ltd. and started manufacturing games in addition to playing cards.

1969 - Expanded and reinforced the game department; built a production plant in Uji City, a suburb of Kyoto.

1970 - Stock listing was changed to the first section of the Osaka Stock Exchange. Reconstruction and enlargement of corporate headquarters was completed. Started selling the Beam Gun series, employing opto-electronics. Introduced electronic technology into the toy industry for the first time in Japan.

1973 - Developed laser clay shooting system to succeed bowling as a major pastime.

1974 - Developed image projection system employing 16mm film projector for amusement arcades. Began exporting them to America and Europe.

1975 - In cooperation with Mitsubishi Electric, developed video game system using electronic video recording (EVR) player. Introduced the microprocessor into the video game system the next year.

1977 - Developed home-use video games in cooperation with Mitsubishi Electric.

1978 - Created and started selling coin-operated video games using microcomputers.

1979 - Started an operations division for coin-operated games.

1980 - Announced a wholly owned subsidiary, Nintendo of America Inc. in New York. Started selling "GAME & WATCH" product line.

1981 - Developed and began distribution of the coin-operated video game "Donkey Kong." This video game quickly became the hottest selling individual coin-operated

machine in the business.

1982 - Merged New York subsidiary into Nintendo of America Inc., a wholly owned subsidiary headquartered in Seattle, Washington, U.S.A., with a capital of $600,000.

1983 - Built a new plant in Uji city to increase production capacity and to allow for business expansion. Established Nintendo Entertainment Centres Ltd. in Vancouver, B.C., Canada, to operate a family entertainment center. Raised authorized capital of Nintendo of America Inc. to $10 million. In July, listed stock on the first section of the Tokyo Stock Exchange. Started selling the home video game console "Family Computer" employing a custom CPU (Custom Processing Unit) and PPU (Picture Processing Unit).

1984 - Developed and started selling the unique 2-screen interactive coin-operated video game "VS. System".

1985 - Started to sell the U.S. version of Family Computer "Nintendo Entertainment System" (NES) in America. The system included R.O.B. - Robotic Operating Buddy - and the games Duck Hunt and Super Mario Bros. Mario and Luigi became as big a hit as the NES.

1986 - Developed and started selling the "Family Computer Disk Drive System" to expand the functions of the Family Computer. Began installation of the "Disk Writer" to rewrite game software. Game Counselors were organized and players from all over the world could call Nintendo for advice on games and strategies.

1987 - Sponsored a Family Computer "Golf Tournament" as a communications test using the public telephone network and Disk Faxes to aid in building a Family Computer network. The NES achieved the status as the #1 selling toy in American and The Legend of Zelda became the first new generation home video game to exceed sales of one million units.

1988 - Nintendo of America Inc. published the first issue of Nintendo Power magazine in July. Researched and developed the Hands Free controller, making the NES accessible to many more Nintendo fans. The game library for the NES grew to 65 titles, helping to broaden the demographics to include more adults.

1989 - Released "The Adventure of Link," sequel to the top-selling game "The Legend of Zelda" in the U.S. Started "World of Nintendo" displays in U.S. to help market Nintendo products. Studies show that children are as familiar with "Mario" as they are with Mickey Mouse and Bugs Bunny! Introduced Game Boy, the first portable, hand-held game system with interchangeable game paks. Nintendo Power magazine became the largest paid-subscription publication in its age category.

1990 - Nintendo Power Fest featuring the Nintendo World Championships tours the country. Japan enters the 16-bit market by releasing the Super Famicom in the fall.

1991 - Nintendo introduces World Class Service Center locations across the U.S. The 16-bit Super Nintendo Entertainment System (Super NES), along with "Super Mario World," is released in the U.S.

1992 - The Super NES Super Scope and Mario Paint with the Super NES Mouse Accessory were released. The long-awaited "Zelda" sequel, "The Legend of Zelda: A Link to the Past," arrived for the Super NES. Nintendo of America Inc. developed portable Fun Centers to assist the Starlight Foundation in bringing happiness to hospitalized children by allowing them to enjoy their favorite video games during hospital stays.

1993 - Nintendo announces the advent of the Super FX Chip, breakthrough technology for home video systems. The first game using the Super FX Chip, "Star Fox," is released in April.

1994 - The Super Game Boy accessory was released, expanding the library of games that could now be played on the Super NES! Everyone's favorite heroine, Samus, returns in another long-awaited sequel, Super Metroid. Nintendo helped pioneer the development and implementation of an industry-wide rating system. This year also saw the introduction of a game that would set a new standard in video game excellence. Using proprietary Advanced Computer Modeling (ACM) graphics, Donkey Kong Country took the holiday season by storm! Nintendo Gateway projected to reach 40 million travelers.

1995 - Thanks to the outstanding success of Donkey Kong Country, ACM graphics were introduced to the Game Boy system by way of Donkey Kong Land. Along with this great boost to the Game Boy system line, Nintendo also introduced the Play It Loud! series of Game Boy systems. ACM graphics made another appearance on the Super NES with the release of the arcade smash-hit, Killer Instinct. At the same time, Nintendo introduced a 32-bit Virtual Immersion system know as the Virtual Boy. Next, Nintendo responded to the demands of fans with the release of Yoshi's Island: Super Mario World 2. Nintendo even enhanced the quality of ACM graphics for the upcoming release of Donkey Kong Country 2: Diddy's Kong Quest. Cruis'n USA and Killer Instinct available in local arcades. Celebration of the one-billionth game pak being sold.

1996 - Nintendo 64 launches in Japan on June 23. Thousands line up to be the first to experience the world's first true 64-bit home video game system. More than 500,000 systems are sold the first day. In early September, Nintendo introduces the Game Boy pocket, a sleeker, 30-percent smaller version of the world's most popular hand-held

video game system. On September 29, Nintendo 64 launches in North America. The entire initial shipment of more than 350,000 units is sold out in three days. Super Mario 64 is proclaimed by many as "the greatest video game of all time!" For the Super NES we saw the release of the third game in the continuing Donkey Kong series, Donkey Kong Country 3: Dixie Kong's Double Trouble.

1998 -Nintendo introduces Game Boy Color and innovative devices Game Boy Camera and Printer, bringing new life to the longest running hit in the history of interactive entertainment. Pokémon, a breakthrough game concept for Game Boy, was introduced to the world and generated a nationwide craze to collect 'em all! With the release of Banjo-Kazooie for Nintendo 64, new characters were added to the ever-growing list of popular Nintendo characters. The most anticipated video game ever, The Legend of Zelda: Ocarina of Time for Nintendo 64 was released, setting new standards and breaking records for pre-sell for any video game to date.

1999 - The success of the Pokémon franchise expands even further with the release of Pokémon Pinball, Pokémon Yellow, and the first Pokémon title for the Nintendo 64, Pokémon Snap. Nintendo releases several notable N64 titles including Star Wars: Episode 1: Racer, Mario Golf, Super Smash Bros., Donkey Kong 64, Mario Party, and Perfect Dark. At E3, Nintendo announces development plans for a new system, code-named Dolphin, that will utilize an IBM Gekko processor and Matsushita's proprietary optical disk technology.

2000 - Nintendo sells its one hundred millionth Game Boy unit, ending the year with more than 110 million sold. Game Boy is responsible for 47% of all U.S. hardware system sales (an all-time high for a portable device). Pokémon Stadium is the top-selling console game, followed by The Legend of Zelda: Majora's Mask, both for N64. Pokémon Gold and Silver for Game Boy Color make their U.S. debut in October, becoming the fastest-selling games of all time by selling a combined 1.4 million copies in one week and 6 million through December.

2001 - Beloved Nintendo characters Mario and Donkey Kong celebrate their 20th anniversaries. Nintendo launches its highly anticipated Game Boy Advance in Japan on March 21. The portable powerhouse debuts in the U.S. on June 11, and sells one million units in six weeks. Following the success of the Game Boy Advance, Nintendo launches the Nintendo GameCube home video game console in Japan on September 14. The U.S. launch on November 18 smashes previous U.S. sales records, becoming the fastest-selling next generation hardware system.

2002 - Satoru Iwata is named President of Nintendo Co., Ltd.

2. EQUAL EMPLOYMENT OPPORTUNITY & AFFIRMATIVE ACTION

Equal Employment Opportunity

NMI is committed to equal opportunity in employment. We comply with all federal, state, and local equal employment opportunity laws. NMI's policy requires that decisions regarding employment and the terms and conditions of employment be made without regard to any individual's legally protected status. NMI's Equal Employment Opportunity Policy also requires that reasonable accommodation be made to enable qualified individuals with disabilities to perform the key functions of their positions.

NMI's Equal Employment Opportunity Policy is also intended to enable employees to work in surroundings free from all forms of unlawful discrimination, including unlawful harassment. This policy is in keeping with the highest ethical standards, good business practices, and applicable government statutes and regulations.

NMI's Equal Employment Opportunity Policy includes, but is not limited to, the following areas:

- recruitment and application for employment;
- hiring and placement;
- job classification;
- rates of pay;
- selection for training and career development;
- transfer and promotional opportunities; and,
- demotion, layoff, recall, and termination.

All NMI employees are expected to comply with this policy. The Vice President, Human Resources at Corporate Headquarters, is NMI's Equal Opportunity and Affirmative Action Officer and is responsible for policy implementation and investigation of any alleged violations.

Affirmative Action

NMI is strongly committed to nondiscrimination and equal opportunity in all areas of employment. NMI's affirmative action effort complements the company's Equal Employment Opportunity Policy.

Harassment and Investigation of Complaints

NMI recognizes and values the integrity of individual employees and their expectation to work in an environment that fosters mutual respect, free from harassment. The company is committed to a strict policy which prohibits harassment based upon any individual's status as protected by law. Such harassment creates an unacceptable working environment and can damage our corporate image within the communities we serve. Conduct which the company determines constitutes a violation of this policy will result in disciplinary action. Examples of conduct that may lead to disciplinary action include, but are not limited to: (1) demeaning or hostile written, graphic, or verbal communications, including offhand comments, epithets, jokes, slurs or negative stereotyping directed at any individual because of, or regarding, that individual's race, color, religion, creed, national origin, citizenship, sex, age, physical or mental disability, or sexual orientation; or (2) hostile, intimidating or threatening conduct directed at an individual because of, or regarding, that individual's status as protected by law.

Harassment is verbal or physical conduct that denigrates, or shows hostility or aversion toward, an individual because of his or her status as protected by law and which:

- has the purpose or effect of creating an intimidating, hostile, or offensive work environment;
- has the purpose or effect of unreasonably interfering with an individual's work performance; or,
- otherwise adversely affects an individual's employment opportunities.

Sexual harassment is a specific form of harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature may constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct is used as the basis for an employment decision; or (3) such conduct has a purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Conduct which may constitute sexual harassment includes repeated, unsolicited comments, gestures, or physical contact of a sexual nature which is unwelcome and damaging to the integrity of the employment relationship. Sexual harassment also includes any effort by a person in authority to use his or her position of authority to control, influence, or affect the career, salary, employment, or terms and conditions of employment of another employee or prospective employee in exchange for sexual favors. Examples of sexual harassment include, but are not limited to:

- repeated, unwelcome verbal, written or physical sexual advances or requests for sexual favors;
- sexually explicit remarks or derogatory comments based on gender;
- unwelcome physical conduct or gestures, such as standing too close, leering, or sexually suggestive gestures or physical movements; and,
- postings or displays of sexually explicit or demeaning pictorial materials in the workplace.

NMI encourages employees to report incidents of discrimination or harassment. If you feel you, or any other employee, have been discriminated against or harassed, you should immediately speak with your supervisor or a member of the Employment & Employee Relations group in Human Resources at Corporate Headquarters. Your complaint will be treated seriously, promptly investigated, and appropriate action will be taken. The investigation will be as confidential as possible consistent with the need to conduct a full investigation. You cannot be subject to any retaliation for reporting the complaint.

Moreover, because NMI encourages employees to report harassment or discrimination, any employee who retaliates against another employee for making such a report will be subject to disciplinary action, up to and including termination.

3. EMPLOYMENT PRACTICES

Position Classifications

Positions classifications at NMI are as follows:

- **Regular, full-time employee**. Employees who are regularly scheduled to work at least 30 hours per week and are paid on an hourly or salaried basis. These employees qualify for full benefits, some of which are pro-rated for employees who work **fewer than** 40 hours per week.

- **Regular, part-time employees**. Employees who are regularly scheduled to work fewer than 30 hours per week and are normally paid on an hourly basis. These employees qualify for certain benefits.

- **Exempt employees**. Employees who regularly work in executive, administrative, or professional positions as defined by NMI consistent with state and federal wage and hour laws.

- **Nonexempt employees**. Employees, whether paid on a salaried or hourly basis, whose positions do not meet the criteria for exemption from wage and hour laws.

If you are unsure how your position is classified, contact the Compensation group in the Human Resources Department at Corporate Headquarters.

Intra-Company Transfers

NMI's success is based in part on utilizing the skills and talents of all our employees to their full potential. The company encourages you to apply for positions for which you are qualified within your work group. When a position in your group becomes available, you should notify your supervisor of your interest.

You are also encouraged to apply for openings in other groups or departments. Because NMI believes it is in the best interest of the company to promote from within whenever possible, we encourage all supervisors and managers to support employees who are interested in pursuing internal employment opportunities. As a general guideline, you should work at least six months in your current position before applying for other positions within the company. This will ensure that your contributions to your current position can be adequately assessed.

NMI generally posts openings on our website. There may be exceptions based upon such factors as skills and experience required for the position or other business requirements which make it impractical to post open positions.

To be considered for open positions, submit a completed application to the Employment group in the Human Resources Department at Corporate Headquarters. You are encouraged to discuss the interviewing process with both your supervisor and Human Resources.

We encourage you to inform your supervisor when you apply for a job elsewhere in the company. Your application will be kept confidential during the initial stages of the interview process. However, you must inform your current supervisor that you have applied for an internal position as soon as it is evident that you are a serious candidate. Your supervisor will be contacted to provide a reference before a final decision or job offer is made.

Business Hours, Breaks and Meal Periods

NMI's regular business hours are 7:30 a.m. to 6:00 p.m., Monday through Friday, Your specific schedule may vary according to your job requirements. Your supervisor will inform you of your work schedule and breaks in advance of the time you commence work.

Washington State requires non-exempt employees who work more than five consecutive hours a day to take an unpaid meal period of at least 30 minutes, which commences no less than two hours and not more than five hours from the beginning of the shift. If you work three or more hours longer than a normal eight-hour workday you will be allowed another meal period during the extended workday.

Non-exempt employees must take a minimum of one ten-minute break for every four hours of working time. Where scheduled, breaks will fall as close as possible to the mid-point of the four-hour schedule. Where the nature of the work allows employees to take intermittent rest periods equivalent to ten minutes for each four hours worked, scheduled breaks are not required.

Personnel Files

Documents in your personnel file are generally confidential and will be shared only with those persons who NMI determines have a business need to review the records.

In response to requests for information from outside the company (for example, in conjunction with a loan application or request for reference), the Human Resources

Department at Corporate Headquarters will only supply information about your dates of employment, job title and compensation, and only with your written approval. Your supervisor must obtain approval from the Human Resources Department to write any letter of recommendation or otherwise provide any type of recommendation.

You may make an appointment to see your file during regular business hours. You may not remove the file nor its contents from the Human Resources Department. If you have a question regarding your personnel file, or if you need copies of any information in your personnel file, please submit a written request to the Human Resources Department.

The Human Resources Department also maintains a record of your employee benefits. Please help keep your records current and accurate by notifying Human Resources immediately whenever there is a change in status which affects your benefits or personnel file. The Human Resources Department has forms to report changes in:

- home address and telephone number;
- legal name;
- marital status (for insurance and tax purposes only);
- person to be notified in the event of an emergency;
- insurance, retirement, and 401(k) Savings Plan beneficiaries; and,
- number of income tax exemptions.

4. PAYROLL

Salary Confidentiality

Your compensation is a confidential matter between you and the company. The company will hold your compensation confidential, unless we are requested to do otherwise with your written authorization, or under legal compulsion.

Pay Procedures

If you are a salaried employee, you will be paid semi-monthly, on the 15th and last day of the month. If the regularly scheduled payday falls on a Saturday, Sunday, or bank holiday, the pay day is the preceding business day.

If you are an hourly employee, you are paid on a bi-weekly schedule. Pay periods end every other Friday, and pay day is the following Monday. If the regularly scheduled pay day falls on a bank holiday, the pay day is the preceding business day.

Time Records/Time Clock

Employees are expected to keep their supervisor and the Human Resources Department advised of vacation, sick leave, overtime and unpaid leave taken.

If you are an hourly employee, you must submit your hours via your computer. The data should reflect all hours worked. This includes all time spent on conference calls, reviewing mailings and completing paperwork. If, for some reason, you are unable to do so, you must notify your Regional Manager (RM) or District Supervisor (DS). You must accurately report all hours worked. Employees are not permitted under any circumstances to falsify time records of any kind. These actions may be grounds for disciplinary action, up to and including termination.

Hours of Work and Overtime

Employees at NMI work a variety of shifts and schedules. Your supervisor will advise you of your work schedule and required hours of work. If you are a salaried, non-exempt employee, your salary is normally based on a fixed schedule of 40 hours per week.

Overtime may be required during periods of peak workloads. You may not work overtime unless it has been authorized in advance by your supervisor. Overtime pay for non-exempt employees will be one and one-half times your regular rate of pay for time worked in excess of 40 hours per week. Please note that overtime is based on

hours worked in excess of 40 hours per week, not merely hours worked in excess of eight hours per *day (this may vary from state to state)*. Exempt employees do not receive overtime pay.

For purposes of calculating overtime pay, "hours worked" includes actual hours worked, military leave (up to eighty hours), and paid jury duty, vacation and holidays. Time off for sick leave or bereavement leave (paid or unpaid) is not considered "hours worked" and is not included when calculating overtime.

Payroll Deductions

NMI withholds from your paycheck amounts required by law for taxes and other purposes. In addition to the deductions required by law, the company also processes authorized voluntary deductions from your paycheck for such items as dependent insurance premiums or 401(k) contributions. Please see the Compensation group in the Human Resources Department if you have any questions about payroll deductions.

Direct Deposit and Banking Services

You may authorize NMI to deposit your paycheck directly to your bank account at any major financial institution by completing an Automatic Deposit form, which is available in the Human Resources Department. You may deposit funds into separate accounts at any financial institution(s). After you have submitted the Automatic Deposit form, it will take up to two payroll cycles to activate your request.

5. COMPENSATION AND EMPLOYEE BENEFITS

Base Compensation and Bonus Awards

NMI's overall objective in its compensation practices is to pay for performance. We accomplish this through our unique compensation package which consists of two components -- competitive base wages and a comprehensive bonus program.

NMI's base compensation and semi-annual bonus awards are generally designed to be competitive with the market. The philosophy of paying for performance allows the company to recognize individual employees and reward those who exemplify excellence.

In July of each year, NMI will determine, in its sole discretion, whether adjustments to base compensation will be made. When salary adjustments are warranted, they are largely influenced by external sources, such as changes in market salaries, as well as other factors, such as significant changes in job responsibilities and the employee's overall job performance.

In July and December of each year, NMI will determine, in its sole discretion, whether bonus awards should be made. If NMI determines bonus awards should be made, bonuses will be based on a percentage of the employee's semi-annual eligible compensation (base wages earned during a six-month evaluation period) and will generally be based upon:

- an evaluation of the employee's performance during the six-month period;
- an evaluation of the employee's performance relevant to other employees with comparable duties and levels of responsibility; and,
- significant contributions made by the employee during the six-month period.

Award percentages are based on an employee's position as follows:

0 - 20% Non-exempt (e.g., Hourly and Salaried Non-exempt Positions)

There is no "set formula" used in determining the rating, if any, of an employee's bonus award. However, NMI reserves the right to take into consideration factors other than those set forth above. What an employee received in the way of prior bonuses may have no relationship to future bonuses. No employee is "entitled" to a bonus, and neither the fact that an employee received a bonus in the past nor the amount of a previous bonus award should create an expectation concerning the fact or amount of a

future potential award. In determining the amount of bonuses to be awarded to employees, each employee will be evaluated in writing by his or her supervisor and these evaluations will then be reviewed by management.

In order to qualify for consideration for a bonus in July, an employee must have commenced work with NMI on or before March 31 of that year. In order to qualify for consideration for a bonus in December, an employee must have commenced work with NMI on or before September 30 of that year. Employees must be employed at NMI at the time bonuses are paid in order to receive their bonus award.

Health and Welfare Benefits

NMI offers employee benefit plans which provide medical, dental and vision coverage, life insurance and protection in the event of a long-term disability. If you are eligible for these plans, you will receive information about them during new employee orientation. You will also receive plan booklets when you enroll in the medical and dental plan.

Eligibility and Enrollment

Regular, full-time employees are eligible for enrollment in NMI's medical, dental, vision, life insurance, and long-term disability plans on the first of the month coinciding with or following 30 days of employment.

To enroll in the benefit plans, you must complete the appropriate application forms in your benefits package during your new employee orientation. We also have an "open enrollment" period in September of each year when you make changes to your coverage. (All such changes go into effect October 1.)

Eligibility for group benefits ends if NMI's contract with the service providers are no longer in force or if your employment with NMI ends. If you leave the company, you may be eligible to extend your benefits coverage. Please see Section 9, "Termination of Employment - Continuation of Benefits Upon Termination" for further information.

Claim or enrollment forms are available from the Benefits Department in Human Resources at Corporate Headquarters.

Medical, Dental and Vision Coverage

If you are a regular, full-time employee, NMI provides group medical, dental, and vision coverage at no cost to you. As a full-time employee, you may enroll your dependents in the group medical and dental plans by paying a portion of the premium through payroll deductions. The vision plan is not available to dependents.

Because each employee has unique insurance needs, we offer a choice of two group medical plans. Upon employment, and during annual open enrollment periods, information on the group medical, dental and vision plans will be provided to you. Please contact the Benefits group in the Human Resources Department or review your Summary Plan Description if you have any questions on medical, dental and vision insurance benefits.

Premium Conversion Plan

If you enroll your dependents in NMI's medical and dental plans, you have the option to pay your portion of the premiums from pre-tax earnings. By enrolling in NMI's Premium Conversion Plan, your insurance premiums will be deducted from your gross pay prior to payroll taxes, thus reducing your overall taxable income. For more information about this plan, please contact a member of the Benefits group in the Human Resources Department.

Life and Accidental Death & Dismemberment Insurance Plan

If you are a regular, full-time employee, NMI provides group life and accidental death and dismemberment insurance. These benefits are provided at no cost to you; however, a portion of your life insurance coverage may be treated as taxable income to you based on Internal Revenue Service requirements.

The life insurance policy includes an accidental death and dismemberment benefit, which provides additional payment in the event of death or dismemberment resulting from an accident.

You may elect additional accidental death and dismemberment coverage for yourself only or for you and your eligible dependents. You pay for this coverage through Payroll deductions.

Please see the Benefits group in the Human Resources Department or review your Summary Plan Description for further information.

Long-Term Disability Insurance

If you are a regular, full-time employee, NMI provides group long-term disability insurance at no cost to you.

Long-term disability insurance provides income protection in case of total disability caused by a covered condition. The long-term disability insurance benefit begins 90 days after you become disabled. Please see the Benefits group in the Human Resources Department or review your Summary Plan Description for further information.

Retirement Benefits

401(k) Savings Plan

NMI's 401(k) Savings Plan provides an easy, automatic way to save for the future by contributing a portion of your salary or wages to a tax deferred retirement account.

Participation in the 401(k) plan is voluntary. If you are at least 21 years of age, and have been employed by NMI for at least six months, you are eligible to participate in this plan. The Benefits group will notify you when you become eligible to participate in the plan. You may enroll the 1st of any month following eligibility.

You may contribute a specified percentage of your pay to the 401(k) plan, up to the maximum amount allowed by federal tax law. Additionally, NMI contributes matching funds to the plan. For more information, contact the Benefits group in Human Resources or refer to your Summary Plan Description.

Sick Leave

If you are a regular, full-time employee, NMI provides you with sick leave.

All regular, full-time employees (except those in positions classified by the company as exempt) accrue sick leave at the rate of one day per month, pro-rated based on scheduled hours.

Sick leave accruals begin during the first month of employment. You may not use sick leave until it has been accrued. You may use sick leave for personal illnesses, for visits to health care providers for yourself or your dependents, or for circumstances that qualify under certain laws. Although you may not use sick leave for

personal reasons or for vacation purposes, you may use sick leave to cover absences resulting from emergency business closures.

You may carry over unused sick leave accruals from one year to the next up to a maximum of 90 days. (Sick leave accrued prior to May 9, 1996 may be cashed out in January of each year, or upon change from a non-exempt to an exempt position.)

Employees in positions classified as exempt by the company do not accrue sick leave benefits. Instead, salaries are continued during certain leaves of absence, up to a maximum of 90 days. For more information regarding this benefit, please contact the Benefits group in Human Resources.

Vacation Pay

If you are a regular, full-time employee, you are eligible to receive vacation pay.

The amount of vacation you accrue depends on both your length of service and the number of hours you are scheduled to work. The number of vacation days earned during the first calendar year of employment at NMI will vary, depending on your date of hire. No vacation will accrue during the first three months of employment.

Vacation accrues for those employees scheduled to work 40 hours per week (or 36 hours on weekend shift) as follows:

Years on the Job	Monthly Accrual	Annual Accrual
3 months - 3 years	8.00 hours	12 days
3+ years - 10 years	10.00 hours	15 days
10+ years - 15 years	13.36 hours	20 days
15+ years	16.64 hours	25 days

If you are scheduled to work fewer than 40 hours per week, your accrued vacation is pro-rated based on scheduled hours (see examples on the following page).

Monthly Accrual

Scheduled hours/week	3 mos - 3 yrs	3+ yrs - 10 yrs	10+yrs - 15 yrs	15+yrs
38 hours	7.60 hours	9.50 hours	12.69 hours	15.08 hours
36 hours (weekend shift)	8.00 hours	10.00 hours	13.36 hours	16.64 hours
36 hours (all other shifts)	7.20 hours	9.00 hours	12.02 hours	14.97 hours
34 hours	6.80 hours	8.50 hours	11.35 hours	14.14 hours
32 hours	6.40 hours	8.00 hours	10.68 hours	13.31 hours
30 hours	6.00 hours	7.53 hours	10.02 hours	12.48 hours

Your vacation days may be carried over from one calendar year to the next. However, the number of vacation days you carry over may not exceed the amount of days normally accrued in one year. If you have a year-end accrual balance which exceeds the number of hours you normally accrue, the excess hours will be forfeited.

Vacation may be taken for any personal reason. Vacations must be scheduled with your supervisor in advance, either in writing or through your computer. Vacation requests and time are subject to requirements of your department and/or position.

Donation of Vacation Time

NMI recognizes that employees who become critically ill or disabled may exhaust vacation and sick leave during an illness.

Employees may donate a portion of their accrued vacation as sick leave to another staff member if sick leave and vacation time of the receiving employee is exhausted. An employee who becomes critically ill, disabled or qualifies for a medical leave of absence, may be eligible for this benefit.

Conversion of vacation to sick leave is based on the dollar value of the donated benefit, and the vacation time may not be returned once donated. Donated vacation time is subject to normal income taxes at the time it is paid to the recipient.

Holidays

Due to different business requirements in different departments, the company does not have an established holiday schedule, however, most departments recognize

the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

All regular, full-time employees accrue a total of 11.5 holidays each year to be used for department-recognized holidays. If your department recognizes fewer than 11.5 holidays a year, your holidays may be taken on a discretionary basis subject to supervisory approval. Check with your supervisor to confirm your department's holiday schedule.

Employee Referral Program

Nintendo encourages all of their employees to refer qualified candidates to fill open positions within the Company. If an employee refers a candidate, who is hired as a Nintendo or NMI employee, they will receive a Employee Referral Award based on the level of the position filled. Referral awards vary and are subject to appropriate tax. A copy of the Employee Referral Program is in your computer or you can contact Human Resources at Corporate Headquarters.

Vacation Houses

Nintendo owns two vacation houses on the Island of Hawaii available for employees' use. To inquire about this unique benefit, contact a member of the Human Resources Department.

Other Benefits

In addition to the benefits described above, NMI offers the following:

- Nintendo product sales at an employee discount;
- Discount program nationally and regionally on high-quality products, services, and recreational activities.

For more information about these or other NMI benefits, contact the Benefits group in the Human Resources Department.

6. EMPLOYEE LEAVES OF ABSENCE

Short-Term Illnesses and Other Absences

Employees may need time off work for short-term illnesses, personal emergencies, or medical and dental appointments for themselves or their children, or to care for sick children or other qualifying dependents. NMI recognizes this need and will allow time off as long as employees maintain reasonable attendance records. If, however, an employee abuses this privilege, or absenteeism become excessive, it may be necessary, solely at NMI's discretion, to take disciplinary action.

Family and Medical Leave

Employees who have been employed by NMI for at least one year and have worked at least 1,250 hours over the previous 12-month period are eligible to take a family and/or medical leave of absence for one or more of the following reasons:

- the birth of a child;
- the placement of a child with the employee for adoption or foster care;
- to care for a spouse, child* or parent of the employee, as long as the spouse, child or parent has a serious health condition; or,
- a serious health condition that renders an employee unable to perform the functions of his or her position.

* For purposes of the above, "child" means a child of the employee who is under 18 years of age, or is 18 years of age or older and incapable of self-care due to mental or physical disability.

Eligible employees are entitled to a total of 12 work weeks of unpaid leave during any 12-month period. In addition, NMI will comply with individual state laws if they provide for longer periods of leave. For example, Washington law provides that leave for sickness or temporary disability due to pregnancy or childbirth may be taken in addition to the 12-week leave to care for a newborn child. Family and medical leaves of absence are granted based on specific provisions as required by law and are subject to the following guidelines:

- Whenever feasible, an employee should provide written notice of his or her intention to take a medical or family leave at least 30 days prior to the date the leave is expected to commence, or, if such notice is not possible, as soon as

is practical. The notice should include the date the leave is to begin and the expected duration of the leave.

- Certification from a health care provider verifying the need for a leave may be required. NMI may, in certain circumstances, require a second and/or third opinion at the company's expense.

- Leave on a reduced or intermittent schedule may be taken with the company's approval or if it is medically necessary due to a serious health condition of the employee or the employee's child, spouse, or parent.

- Employees may use any accrued vacation for all or part of any family and medical leave taken for him/herself or to care for an ill family member. Employees may use any accrued vacation for all or part of any family and medical leave taken to care for a new child. Once the accrued vacation is exhausted, any remaining leave will be unpaid.

- In most cases, an employee returning from leave will be entitled to the position the employee held prior to commencement of the leave, or to an equivalent position with equivalent terms and conditions of employment.

- An employee returning from medical leave will be required to provide medical certification of his or her ability to return to work.

NMI will continue an employee's health insurance coverage for the duration of their leave of absence, up to a maximum of six months. However, if an employee fails to return from leave, the employee may be required to reimburse the company for the cost of the insurance premiums paid by the company on behalf of the employee and his/her dependents during the employee's leave.

Please see the Benefits group in the Human Resources Department for further information.

Military Leave

You may take military leave to fulfill your obligations to serve in the active Armed Service, National Guard or Reserves. If you are a member of the National Guard or Reserves and must participate in an annual training program, NMI will reimburse you for the difference between your military pay and your regular base pay, up to a maximum of 80 hours. NMI will grant an unpaid leave of absence for longer periods of service as required by state and federal law.

Bereavement Leave

NMI grants up to 24 work hours of leave with pay if there is a death in your family. For this purpose, "family" is defined as your parent, legally married spouse, child, sibling, in-law, grandparent, grandchild, aunt, uncle, niece, nephew, or cousin.

You must notify your supervisor immediately if you need to take bereavement leave. Your Regional Manager may grant an extension if more time is required for necessary arrangements or extended travel. You may use vacation or sick leave during an approved extension, or the time off may be taken without pay.

Personal Leave

NMI does not have a formal policy for granting personal leaves to employees. From time to time, the company may grant an employee an unpaid personal leave under special circumstances such as personal hardship. For more information, contact your supervisor or the Benefits group in the Human Resources Department.

Jury Duty

NMI encourages employees to fulfill their civic duty and serve on a jury if called. If you are called for jury duty, you should notify your supervisor immediately so they can arrange for your work to be done in your absence. However, if your absence from work will cause NMI undue hardship, you may contact a member of the Human Resources Department, who will make a request to the Court. Being excused from jury duty is in the sole discretion of the Court.

NMI will continue your base pay during jury duty, up to a maximum of 80 hours. You are expected to work when not actually involved with court responsibilities, as long as the combination of jury duty service and hours worked do not exceed your normal scheduled workday. If there is a need for you to work overtime while on jury duty, you will need your Regional Manager's prior approval.

Voting Time

If your work schedule does not allow you two free hours during the time voting polls are open (excluding breaks and meal periods), you will be allowed to take up to two hours of paid time to vote. Since polls are open for 12 or more hours, paid time off for voting should be necessary only in exceptional circumstances. Please see your supervisor if you believe you need time off to vote. Your Regional Manager will determine how much time is needed.

7. GENERAL POLICIES AND EMPLOYEE RESPONSIBILITIES

Open Communication

NMI promotes open communication and encourages you to discuss issues or problems related to your job with your supervisor or another member of NMI's management. You are also encouraged to ask about things you do not know or understand and to make suggestions that could improve any part of our operations.

You should contact your supervisor first if you have questions, suggestions, or concerns regarding your job or the company. You may also discuss your questions or concerns with the Human Resources Department, or your department's manager, director or officer. Unless unusual circumstances exist, you should first address your concerns with your supervisor and then progress to the next level of management until your issue is resolved.

Standards of Conduct

NMI expects a high standard of conduct in the behavior of its employees. NMI expects employees to treat each other with respect and to conduct themselves in an ethical and professional manner. NMI emphasizes courtesy, dignity, and respect as corporate values. We seek to create an atmosphere of mutual respect for all NMI employees, temporary personnel (referred to as associates at NMI), contractors, vendors, and visitors. Our leadership takes these values seriously.

Appropriate conduct is expected at all times while on company property or while engaged in company business and other company events and activities. Satisfaction of these standards not only promotes productivity and efficiency, but also helps to provide all employees with a pleasant and cooperative work environment and fosters a quality image critical to NMI's success. Consequently, NMI views compliance with common sense rules of conduct to be an important responsibility of every employee.

It is, of course, impossible to identify every type of possible misconduct, infraction, or performance problem that may result in discipline. The following is, therefore, simply a partial list of specific kinds of conduct that may result in disciplinary action, up to and including termination.

- the falsification of company and/or personnel records;
- unauthorized disclosure of confidential proprietary information, data or records;

- committing an act detrimental to the safety and health of a fellow employee, yourself, or a visitor;
- insubordination;
- dishonesty;
- theft or unauthorized possession of company property or property belonging to a fellow employee;
- willful concealment of defective work;
- fighting or provocation to fight;
- misuse of company property;
- downloading, viewing or distributing pornographic material;
- resale, for profit, of Nintendo products or other items provided to NMI employees;
- possession of a firearm or weapon on company property;
- violations of the company's Equal Employment Opportunity or Harassment policies;
- violation of the Business Protection Agreement;
- violation of the Fitness for Work policy;
- violation of the Conflict of Interest or Confidentiality policies;
- violation of the company's Information Services policy;
- violation of the Antitrust policy; or,
- violation of any other company policy.

These standards of conduct are provided solely for your information. NMI reserves the right to determine, in its sole discretion, whether an employee has committed one of the offenses identified in this list or another offense that warrants discipline and to determine the degree of discipline that may be appropriate.

Personal Relationships/Conflicts

Members of the same family may be employed by NMI or Nintendo. However, NMI reserves the right to deny employment to a relative under certain circumstances, such as one relative having supervisory authority over another. For the purposes of this policy, the definition of "supervisory authority" includes but is not limited to, any employee who provides regular training, feedback, and/or direction to another employee, regardless of whether or not the individual is formally designated to perform these duties.

If an employee becomes related to another employee, or NMI has determined that there is a conflict of interest in the working relationship of two employees, every effort will be made to transfer the affected employee(s) to another area.

In addition, in order to avoid a conflict of interest, it may be necessary to apply this policy to employees who are not relatives but who otherwise have a personal relationship. It is the responsibility of the individuals involved to advise the Human Resources Department or their department's management when such situations arise.

Discipline

While an employee's employment may be terminated at will by NMI, the company may choose to exercise its discretion to utilize forms of discipline that are less severe than termination. Examples may include verbal or written warnings, suspensions from work without pay, out-of-cycle performance evaluations, and action plans. Although one or more of these steps may be taken in connection with particular incidents, NMI may terminate the employment relationship without following any particular series of steps whenever it determines, in its sole discretion, that such action is appropriate.

Attendance

To keep NMI's operations running smoothly, it is important that you are punctual and maintain a good attendance record.

Good attendance and punctuality are essential components of an employee's performance. Your supervisor will monitor your attendance and will consider any pattern of tardiness or excessive absence as reason to counsel or discipline you.

If you expect to be late or unable to report to work, you are expected to contact your supervisor at least 30 minutes prior to your normal arrival time. Many departments have unique guidelines for attendance standards and reporting absences based on

functional requirements. Please check with your supervisor to see if specific guidelines exist for members of NMI.

If your absence is longer than one day, you are expected to call your supervisor each day you are absent, unless other arrangements have been made.

Effort will be made to accommodate emergency circumstances which prevent you from reporting your absence. Otherwise, failure to report your absence may result in discipline, up to and including termination of employment. If, however, you fail to report to work for more than three consecutive days without providing notice, NMI will conclude that you have abandoned your job and have voluntarily resigned your employment.

NMI's sick leave benefit is designed to continue pay during short or long-term absences resulting from an employee's illness or medical condition or other qualifying events. The monthly sick leave accrual is not intended to be used as it is earned, but rather, used as necessary for approved absences from work.

Attendance Guidelines

These Attendance Guidelines were developed in an effort to answer questions, clarify NMI's expectations for attendance, and to provide suggested action steps if attendance patterns occur. The information contained herein is for guideline purposes only. Nothing contained herein should be construed as an employment contract, nor an obligation to follow these guidelines in strict progression. The company reserves the right to delete, change or add to or depart from these guidelines at any time, with or without prior notice. Employees who have questions should contact their immediate supervisor.

Punctuality Occurrences

Reporting late, but arriving prior to the shift midpoint, is considered a *punctuality occurrence.* Reporting late, and arriving after the shift midpoint, is considered an *unplanned absence occurrence.*

Unplanned Absence Occurences

Definition: An unplanned absence occurrence may arise from missing one scheduled work day or part of one work day, but also may include additional work days as approved by the employee's immediate supervisor. In addition, any calendar changes made by either a full-time or a part-time representative, without a two-week notice, would constitute an occurence.

Employees who are unable to report to work are required to report their absence to their immediate supervisor via voice mail as soon as possible, but no later than 8:00 a.m. on the day they are scheduled to work. The message should include a telephone number where the employee may be reached, and/or include other arrangements should it be necessary to contact the employee. Unless advised otherwise, employees will be required to contact their supervisor each day they are unable to work.

Employees may be required to submit medical documentation during absences and/or prior to returning work, as the company deems necessary. Employees should contact the Human Resources at Corporate Headquarters for further information.

The following procedures will typically apply to punctuality occurrences and unplanned absence occurrences. NMI may depart from these procedures as its discretion, depending on individual circumstances.

- The first occurrence begins a 90-day rolling period.
- The second occurrence in the same 90-day rolling period will typically result in a counseling session.
- The third occurrence in the same 90-day rolling period will typically result in a verbal warning.
- The fourth occurrence in the same 90-day rolling period will typically result in a written warning with a 90-day Action Plan. An action plan also will result in the loss of an employee's bonus for that review period. Failure to meet the objectives outlined in the Action Plan may result in further disciplinary action, up to and including termination of employment.

Accelerated disciplinary action, up to and including termination, may be taken if attendance patterns develop which are not addressed in these guidelines, including but not limited to: (1) missing an excessive number of days which is deemed to cause a significant impact; or, (2) developing a pattern of unplanned absence occurrences that may or may not result in repeated verbal and/or written warnings.

Pre-planned Absences

Definition: A pre-planned absence is any time away from work (a full or partial work day) that has been requested and approved in advance, as outlined below. Pre-planned absences are not typically considered occurrences for performance evaluation and progressive discipline purposes.

An employee's request for time off work must be submitted and approved at least two weeks in advance. Leaves of absence usually require 30 days notice, and approval from the employee's immediate supervisor, the Regional Manager, the National Merchandising Director and the Human Resources Department. Based on needs,

requests for time off may be approved or denied, regardless of whether the requests were submitted in accordance with the above time frames. It is the employee's responsibility to confirm approval with the immediate supervisor. Exceptions may be made for certain leaves covered by certain state laws. Employees should contact the Human Resources Department at Corporate Headquarters for further information.

Failure to Report an Absence

The first time an employee fails to report his/her absence, the employee will typically receive a written warning, which will begin a 90-day rolling written warning period. Further occurrences during the 90-day rolling period will result in further disciplinary action, up to and including termination of employment.

If an employee misses three consecutive work days without notifying his/her immediate supervisor as outlined in these guidelines, it is considered job abandonment, which NMI treats as voluntary separation of employment.

If an employee has been granted a leave of absence, he or she must either return to work on the date specified, or receive approval from Human Resources at Corporate Headquarters, to extend the leave. Failure to do so may be considered job abandonment.

Sick Leave Usage

Sick leave may be used for pre-planned or unplanned absences, such as: employee illness or medical condition; medical or dental appointment; to care for a dependent child under the age of 18 who requires care or supervision due to a health condition; or to extend bereavement leave.

Fitness for Work Program

NMI has a strong commitment to its employees, temporary personnel, contractors and others who perform services on company property, to provide a safe work environment and to promote high standards of employee health. NMI also has a strong commitment to give its customers the best possible products and services. Consistent with the spirit and intent of these commitments, NMI has adopted a Fitness for Work Program for all employees.

The Fitness for Work Program prohibits the use, possession, sale, purchase, or distribution of illegal drugs, or having a measurable quantity in one's system of an illegal drug, while at work, in a work status, or on Nintendo or retailer premises.

The Fitness for Work Program also provides that no alcoholic beverages will be brought onto or consumed on Nintendo or retailer premises. Being under the influence of an alcoholic beverage while at work, in a work status, or on Nintendo or retailer premises is prohibited by this policy, except as might occur within reasonable limits at authorized company sponsored functions or occasions.

The Program also prohibits employees from being under the influence of or using a prescription or non-prescription medication which is likely to impair an employee's work performance or create a safety risk or other unsafe work condition. The sale, purchase, or distribution of such drugs while at work, in a work status, or on Nintendo or retailer premises is also prohibited.

The Fitness for Work Program provides for:

- pre-employment drug testing;
- reasonable belief drug and alcohol testing; and,
- an employee assistance plan.

All employees must consent to testing under this policy as a condition of employment. If you have questions or concerns about the policy, contact a member of the Employment & Employee Relations group in the Human Resources Department at Corporate Headquarters.

Proprietary and Confidential Information, Inventions and Materials

Because of the sensitive and competitive nature of our business and our products, it is imperative that you do your part in protecting proprietary and other confidential information. You should never reveal any information that might compromise NMI products, businesses, or reputation. All NMI employees are required to sign a "Business Protection Agreement" at the start of their employment, which fully sets forth your obligations with respect to maintaining proprietary information and confidentiality. NMI and/or Nintendo is the exclusive owner of all confidential information, inventions, materials and proprietary rights. As indicated in the "Business Protection Agreement" all materials will constitute "works made for hire" under applicable copyright laws.

Any testing of a competitor's product (whether for remuneration, free games, or otherwise) by an NMI employee will be a violation of the Business Protection Agreement and will be grounds for termination. Please contact the Legal Department if you have any questions regarding this section.

Conflicts of Interest

It is NMI's policy to conduct its business affairs fairly and impartially. Employee conduct must demonstrate that NMI will transact its business on an ethical basis and will not seek or grant special consideration. Therefore, it is the responsibility of all employees to avoid situations that are, or could be construed as, conflicts of interest or inappropriate attempts to influence business decisions. You are expected to avoid any conflict of interest, or the appearance of a conflict of interest when dealing with NMI's business associates. You are expected to refrain from any business activity or investment that constitutes or may appear to constitute a conflict of interest. You should not trade in the securities of a company about which you have "insider information" until that information has been disseminated to the public. Insider information is any information which is obtained in the course of your employment, which is not generally known to the public and which could affect a decision to buy, sell, or hold the stock of a company. For example, this would preclude investing in an initial public offering of a company in which NMI or Nintendo has undertaken or is confidentially considering an investment or other business relationship.

You may occasionally be offered gifts of cash, property, services or gratuities by NMI suppliers, vendors, distributors, dealers, licensees, shippers, or other actual or prospective retailers, companies, or individuals who seek to do business with our company. You must not accept gifts other than those of nominal value. If you cannot return a gift, forward it to the Human Resources Department at Corporate Headquarters. Human Resources will distribute these items to charitable organizations or award them to employees as prizes at company functions.

Just as you must refuse gifts, you should not offer improper gifts or bribes in an attempt to influence persons with whom you do business on behalf of NMI.

Antitrust Policy

Antitrust laws help preserve free enterprise, promote competition and protect consumers. It is NMI's policy to fully comply with all antitrust laws. As a NMI employee, it is your personal obligation to comply with all antitrust laws and to always act in accordance with NMI or Nintendo's Antitrust Guidelines. A current version of the guidelines are available from the Legal Department. Because these guidelines are not meant to be a substitute for obtaining legal advice, you should contact the Legal Department if any issue arises that may have antitrust implications.

Failure to comply with antitrust laws could result in serious consequences for you and NMI, such as fines, litigation costs, potential imprisonment, embarrassment to NMI and discipline up to and including termination for violating the law.

Rights of Third Parties

It is the policy and practice of NMI to respect the intellectual property rights of third parties and to comply with all laws relating to those intellectual property rights. This applies to patents, trademarks, copyrights, trade secrets, and all other intellectual property rights owned by third parties. If you have any doubt as to whether action you are considering would violate any intellectual property right of any third party, please consult the Legal Department.

Hardware/Software Policy

Federal law prohibits the copying and distribution of unlicensed software. In order to use software on any of NMI's personal computers, it must be purchased and installed on your PC by an employee of the Information Services Department. Please read and adhere to the policies regarding personal computers and software at NMI:

All requests for new software must be made through Information Services.

Shareware, freeware, or other software are normally not authorized by the Information Services Department for use on company-owned personal computers. If you have any questions, please contact Information Services. Only NMI media (diskettes, tapes, etc.) may be used at NMI. Do not use media brought from outside NMI. Media is available from Office Supply in Corporate Services.

Work may be taken to and from home only via NMI approved media.

Programs may not be copied from one PC to another. If you would like to use a software program, request a licensed copy from Information Services.

Do not move computers or open them up. Contact Information Services if a computer needs to be moved or repaired.

It is prohibited to use any NMI resource (including Internet access) to "hack" or cause damage, interference, or disruption to other networks, services or equipment. Such interference or disruptions include, but is not limited to, distribution of unsolicited advertising, junk mail, or chain letters; operating a personal business for personal gain on any NMI computer system or through the corporate Internet link; transmission of any type or quantity which may cause disruption of services to others; and, propagation of computer worms, viruses, or potentially malicious code.

Computer Network and AS/400 sign-on profiles and passwords are unique and are issued to each individual employee. Never disclose personal or system passwords to anyone.

All employees taking computer equipment on loan are responsible for the security of that equipment and will be required to execute an agreement for that purpose.

Special provisions or exceptions to this policy may be allowed for specific individuals or departments within NMI. Any exceptions to this policy must be made with the express consent of the Vice President, Information Services. If you have any questions regarding any of the information provided above, please refer to NMI's Information Services Policy covering E-mail, Internet Browsing, Internet E-mail and the Use of Company Assets available from Information Services.

Information Security Policy

Proper security in the use of computer systems is critical to NMI's business. NMI's Information Services Policy has been adopted to provide instruction on the use of computer hardware, software, and procedures to preserve the necessary level of security. Employees must sign a Confidentiality Agreement prior to being given a user-ID allowing access to NMI's computer systems. Unauthorized use of or entry into NMI's computer systems may result in disciplinary action, up to and including termination of employment.

It is possible that e-mail sent/received via Internet may be intercepted by other companies or hackers. Employees are prohibited from sending e-mails containing confidential company information and/or attached documents to employees' personal outside e-mail boxes hosted by AOL, Hot Mail, Yahoo, ISP mail boxes, etc. This information must not sit on outside servers which are subject to review by other company administrators and hackers. NMI provides remote e-mail and file access for those employees who need it.

Electronic Communications Systems

The electronic communications systems that NMI provides, such as online service connections, electronic mail and voice mail, are company-owned business tools. As such, the use of these systems is primarily for business purposes. All data created, stored or transmitted on the systems is the sole property of NMI, and the company reserves the right to examine or access the systems or data at any time and in its sole discretion. There is no reasonable expectation of privacy in the use of electronic communications systems provided by NMI, including online communications, e-mail, and voice-mail.

NMI has adopted a corporate-wide Online Privacy Policy that governs how NMI collects, stores and utilizes the information consumers provide to NMI Online. The full policy can be found on the home page of NMI.com. NMI also complies with the provisions of the Children's Online Privacy Protection Act (COPPA).

NMI has an interest in preventing inappropriate and unprofessional comments in e-mails. The language used in electronic communications must be businesslike and professional at all times. Misuse of e-mail is prohibited. Specifically prohibited uses include messages that are offensive, defamatory, harassing, or inconsistent with the company's policies regarding equal opportunity, sexual harassment, protection of proprietary information, or solicitation.

The use of online services within NMI will continue to be quite limited. Only employees who receive approval from their manager will be permitted to access on-line services. Furthermore, no employee is authorized to comment on any aspect of NMI's business on any online service unless:

the action and material have been specifically authorized by action memo in advance; or,

the employee has been authorized to perform specific online responsibilities.

Internet browsing is a business tool and provided primarily for business use only. There must be a business need/requirement that is driving the use of browsing. Some incidental personal use of Internet browsing may be allowed on an employee's personal time and within reasonable limits. Internet usage is monitored. In addition, no employee is authorized to represent the company or communicate business-related information on personal time.

If you have any questions regarding any of the information provided above, please refer to NMI's Information Services Policy covering E-mail, Internet Browsing, Internet E-mail and the Use of Company Assets available from Information Services.

Release of Prototype, Pre-Production Software

Prototype, pre-production games are not to be provided to any outside company or individual. Prototype, pre-production games may be checked out for internal departmental use but only on a very limited basis. Access to these games will be determined on a case-by-case basis and will be limited to special circumstances.

All questions regarding first and second party software duplications should be directed to the Product Acquisition and Development group. Questions related to third

party requests for pre-production prototype software duplication should be directed to the Engineering Product Testing group.

Search Policy

NMI is respectful of the privacy of its employees. There will be times, however, when it is either appropriate or necessary for the company to conduct searches on company property. NMI believes it is important for all employees to be aware of the company's Search Policy so that they can come to work and conduct themselves at work with full advance knowledge of the possibility of searches at such times.

It is NMI's policy that every employee shall consent and submit to a search of:

any vehicle while in use for company business purposes;

any desk, file, locker, or other container provided by the company;
any work station, personal computer, software, or computer diskette located on company premises; and,

any pocket, package, purse, briefcase, toolbox, lunch box, or other container whether brought or maintained on company premises or any other site while the employee is at work or in work status.

All electronic mail, computer and hard disk files, voice mail messages to or from any employee on company time, equipment, or premises are NMI's property and are subject to review, and employees should be aware of that when sending or receiving them. Because circumstances may vary, NMI, in its sole discretion, will determine the scope, timing, and manner of any searches.

Employees are required to sign a form consenting to searches deemed as necessary by the company. Employees who refuse to submit to a search may be subject to disciplinary action, up to and including termination of employment. Similarly, if, as a result of a search, NMI discovers any item or substance that gives the company reason to believe the employee is violating, has violated, or is disregarding a company policy, including without limitation, the Fitness for Work Policy, the Software Policy, or the Information Security Policy, NMI may take disciplinary action, up to and including termination of employment.

Dress and Grooming

Your appearance is a direct reflection upon NMI's image. You should always conduct yourself in a professional manner and maintain a professional appearance.

Wearing apparel, personal grooming, and hygiene should not create a safety hazard or distract others from their work.

Appearance Guidelines

Nintendo is well known for its quality products and commitment to customer service. NMI field retail representatives are also known for their commitment to customer service and highly trained, quality personnel. Retail representatives are not only marketing specialists, they are also an extension of Nintendo's customer service team and have extensive customer contact at store level.

This contact has played a fundamental role in Nintendo's success and continues to be a key element in long-term marketing plans. In that spirit, we have developed the **Nintendo look**, to ensure all customers are greeted by a professional Nintendo representative who portrays the Nintendo image.

If you look at service organizations such as UPS, Coca Cola, United Air Lines and Disney, a common thread is found. It is a uniform and appearance standard which identifies their personnel and job duties. Although NMI does not require that a particular uniform be worn at all times, we do supply shirts and other apparel, one of which is required to be worn during all store calls.

Occasionally apparel will be supplied specifically for product introductions. We also provide jackets, sweaters and other items which we encourage you to wear on your store calls (weather permitting) to help identify you as a Nintendo representative. In addition to the required wearing of Nintendo-supplied apparel items, the balance of your personal attire needs to follow guidelines as outlined below. NMI has no intention to limit individuality or creativeness, but will limit extremes, which can cause distraction at store level and could be a safety hazard.

Apparel

NMI has adopted a smart casual dress policy. Samples of this type of attire are, slacks/skirts with socks or nylons, polo shirts, standard button up shirts/blouses, dress shoes and any approved Nintendo-supplied apparel. Nintendo supplies apparel such as polo shirts, button up shirts (which need to be worn tucked in.), vests, ties and scarves.

These items may be worn alone or in combination. In the summer months or for hot climate areas, finished shorts (no more than 3 inches above the knee) may be worn with white socks, white tennis shoes and a polo or standard shirt. Shirts must always be

tucked in. Black denim, non-faded jeans may also be worn.

Blue denim fabrics are only permitted when conducting major display resets and need to be authorized by NMI management. All clothing should be clean and free from stains.

When making presentations to large groups, men are required to wear a suit and tie with dress shoes and socks. Women are required to wear a dress, suit or pants suit and blouse with appropriate hosiery and dress shoes.

Unacceptable clothing examples:

- Clothes with holes or tears
- T-shirts
- Halter or bathing suit tops
- Open-toed shoes
- Open-back shoes or open-backed shoes
- Shoes with heels over 2"
- Sweat pants
- Stained clothing
- Revealing clothing
- Cut-off pants or shorts
- Blue jeans or blue denim fabric pants
- Shorts or skirts more than 3" above the knee
- Sunglasses
- Any clothes with a competitor's name on it
- Spandex pants/tops
- Patterned, bold or distracting hosiery

Jewelry

Only Nintendo or licensee pins may be worn while on a store call. The number of pins worn should be limited to a maximum of two to avoid a cluttered look. No more than two necklaces may be worn at once. A maximum of two professional earrings per ear are allowed. Ear piercing is the only type of piercing that can be visible.

Nintendo's name badge is required to be worn in a readable position (waist level or above) while on store calls. The only items allowed on your badge are your Length Of Service Pin.

Hats

Nintendo will provide hats at various times throughout the year. These hats can only to be worn (during store calls) within the dates specified by the Corporate office and may not be worn at any other time.

Hygiene

Due to the amount of physical labor involved and close contact with store personnel, the use of antiperspirant or deodorant is required. Proper hygiene needs to be maintained so as not to offend or distract.

Hairstyle / Makeup

Hair should be clean, neatly combed and arranged in a classic style at all times. It must be symmetrical in appearance and balanced proportionally. Hair coloring should be as natural as possible. Male retail representatives' hair cannot extend more than 1" past the shirt collar.

Makeup should be used to enhance natural features and match skin tone. It should not be distracting.

Unacceptable hair styles include:

- Decorative and partial shaving of head
- Extreme or bi-level hair cuts
- Tucking hair under the collar
- Shaving of eyebrows
- Rat tails

Beards

Beards and mustaches are acceptable. However, they need to be grown out and neatly trimmed.

Unacceptable facial hair includes:

- 5 o'clock shadow
- Handle bar mustache
- Beards exceeding 1"

Tattoos

No visible tattoos.

Medical Exceptions

Any medical exceptions to the above must be submitted in writing to the Human Resources Department at Corporate Headquarters accompanied by a doctor's note. Permanent medical exceptions will be reviewed annually.

Solicitation

The following activities are prohibited at all times:

- solicitation of any kind by an employee on company property during working hours;

- distribution or posting of literature or materials of any type or description by employees on company premises any time; and, solicitation of any type on company premises at any time by non-employees.

NMI's policy prohibits any and all types of solicitation on company premises during working time including the use of E-mail and voice mail for solicitation. Violation of this policy may result in immediate disciplinary action, up to and including termination of employment.

The only exception to this policy are "communications" for activities or charitable causes sponsored or endorsed by NMI which may only be distributed or otherwise communicated with the prior approval of the Human Resources Department at Corporate Headquarters.

Business Travel

It is NMI's policy to reimburse employees for all ordinary and necessary expenses incurred while traveling on company business. We have established the following common-sense guidelines for allowable travel expenses:

Travel arrangements, including airline travel, hotel reservations and car rentals, should be booked through NMI's in-house travel reservations system. Exceptions are made if time-zone differences or other factors make this impractical. The Travel group will not arrange for personal travel. This service is for coordinating your business-related travel arrangements only. The approval process varies from department to department for travel, so be sure to check with your RM for your department's approval procedures.

You should try to arrange your travel plans as far in advance as possible so NMI may obtain the substantial savings of discount fares.

As a NMI employee, you may retain "frequent flyer" and other traveler awards for your personal use, or donate them to the company for use as employee prizes at company functions. NMI's Travel group will book the least expensive flight consistent with your needs, but they will not make reservations with a particular airline for Frequent Flyer Award purposes only (i.e. to accumulate miles on your preferred airline.) NMI will not arrange or otherwise become involved in flight "upgrades" earned through frequent flyer programs.

To obtain a rental car identification card, contact the Travel group. Because NMI's automobile insurance policy provides liability and physical damage coverage on cars rented for business use, you will not be reimbursed for insurance obtained from rental agencies. Employees are, however, responsible for the contents of the rental vehicle as they would be with their own vehicles. Employees should normally cover this exposure through their home owner's or rental insurance.

Travel expenses reimbursable by the company include the following (and may vary by region/area):

- transportation costs while traveling (airfare, trains, taxis, tolls and parking fees);
- lodging and meal costs ($75 hotel; $25 dinner; $10 breakfast)
- reasonable and necessary laundry and dry cleaning charges (when employee is traveling for more than 5 days); and,
- other reasonable expenses (must be approved if they exceed $5.00).

If you use your private automobile on company business, you will be reimbursed with a mileage allowance.

To be reimbursed for eligible business travel expenses, you must submit approved expenses via your computer at the completion of your business trip. You should provide thorough documentation of all reimbursable expenses including receipts for all expensed items.

For more information on our travel policies and procedures, contact the Travel group in the Human Resources Department, Accounts Payable Department, or your Regional Manager.

Action Memos

NMI has a mechanism in place to ensure that certain actions and all purchases in excess of $5,000 are reviewed and approved by senior management through the company's Action Memo process. The company also has an authority chart which lists by division and department specific examples of actions and purchases which require an Action Memo. For more information about the company's Action Memo process, please contact the Finance Department.

8. TRAINING AND DEVELOPMENT

Performance Reviews

Ongoing, two-way communication about performance between management and employees benefits both NMI and our employees. You are encouraged to ask your supervisor for feedback on your performance and keep your supervisor informed about your day-to-day successes and problems.

In addition to this ongoing feedback, NMI conducts formal performance reviews. Written performance reviews are generally conducted on a semi-annual or an annual basis, depending on your position.

Educational Assistance Program

NMI's Educational Assistance Program is designed to help you improve your performance, develop your potential for advancement and pursue your career development plans. To receive educational assistance, you must have completed at least three months of active employment at the time of course enrollment. NMI will reimburse you for any eligible course you take at an accredited institution. To receive reimbursement, you must be an active employee at the time of course completion.

If you are a regular full-time employee, the maximum tuition reimbursement benefit is $1,500 per calendar year. If you are part-time or a seasonal full-time employee, you may be reimbursed for up to $750 per calendar year.

Eligible courses are defined as classes that result in a letter or decimal grade taken at state-accredited institutions, such as a university, community college, or vocational or technical institute. The classes need not be directly related to the responsibilities of your current job. Classes must be scheduled during non-work hours. NMI does not pay for recreational courses unless they are part of a requirement to receive a degree. Please see the Compensation & Benefits Group in the Human Resources Department at Corporate Headquarters for more information about reimbursement guidelines and procedures.

Other Training

If approved in advance by your Regional Manager and Director, NMI pays in full the fees for seminars, conferences, and training courses you attend. Such activities should be related to your current or potential job responsibilities, or to a skill that NMI is encouraging you to develop.

9. SAFETY, SECURITY, AND FACILITIES

Employee Safety and Security

We are proud of our safety record at NMI and we know that our success in this area is due to the emphasis we place on safety measures. Safety is everyone's responsibility. Good safety habits are the result of people caring about themselves and their co-workers.

To enhance the safety and health of all employees at all times, the company has established a comprehensive Safety and Health Program. Through this program, the management team and employee representatives work together to constantly monitor the workplace and achieve an accident-free, healthy work environment. Safety orientation for new employees, timely and appropriate training, a management-employee Safety Committee, and an active Safety Self-Inspection Program, are some of the Safety and Health Program tools used to eliminate work hazards. None of these programs will work without your wholehearted support and compliance with the safety guidelines discussed in new employee orientation and safety training classes provided by the company. The company encourages your participation.

NMI has established the following Safety and Health Policies and Procedures:

- General Safety and Health Issues
- Ergonomics and Lifting Procedures
- Hazardous Chemical Handling and Storage
- Emergency Procedures
- Electrical Safety
- Ladder Safety
- Personal Safety

Further information about NMI's Safety and Health Program can be found in the Safety and Health Handbook which is provided to all employees. If you did not receive a handbook you can request one from either Human Resources or Security at Corporate Headquarters. Please take time to familiarize yourself with these materials.

Incident Reporting

You must promptly report all incidents involving injuries or property damage, no matter how minor, to your D.O.T.S.. In addition, all "near miss" incidents involving no personal injury or damage must be reported in the same manner. You may be required to take a substance test if involved in an on-the-job accident or near miss, as provided in the Fitness for Work policy.

If any injured employee requires immediate medical care, call an aid car by dialing 911 or 9-911, and then promptly call your supervisor and the Security Department.

The following statements outline NMI's commitment to its employees:

- The work environment will be free from recognized hazards that could cause injury, illness or death.
- Safety and health factors have priority when in competition with economic factors.
- Supervisors, managers, directors and officers are accountable for the safety performance of activities, measured regularly against the goal of zero (0) accidents and losses.
- Each employee will be trained and educated in safety procedures appropriate to his/her job duties and location and will perform their job responsibilities in compliance with these safety measures.
- The work environment will be monitored regularly to ensure a safe and healthy workplace.
- Each employee assumes personal responsibility for the development and support of a safe workplace by applying the guidelines contained in the Safety and Health Handbook.

Return-To-Work Program

In the event of an on-the-job injury/illness, NMI is committed to returning you to work as quickly as possible by providing transitional (temporary) duties while you are recovering. Transitional duty is provided whenever possible and is intended to assist you in returning to your regular duties as soon as possible.

Please report all injuries or hazardous situations to D.O.T.S. as soon as possible. The success of this program is the responsibility of everyone in the company, and only by working together can we provide a safe and healthy workplace.

Identification Badges

Your photographic identification badge is issued for the purpose of readily identifying you as an employee. You must wear your badge at all times when on company business. You should wear the badge on the front outer layer of clothing, between the waist and shoulder area, so it is clearly visible at all times.

If your badge is lost, you can obtain a free replacement badge from the Security Department. You will be charged $20 for each additional replacement badge issued. You will be reimbursed if the lost badge is subsequently returned to the Security Department. Repeated failure to wear your badge to work may result in disciplinary action.

Emergency Business Closures

In the event there are physical conditions or other circumstances that make it difficult to provide a safe or productive work environment, please contact your DS or RM. Any time missed from work, will be unpaid. To receive pay during a time loss, employees may:

Elect to use accrued vacation and/or sick leave by submitting requests to their supervisor. To ensure timely payment, requests must be received by the Human Resources Department at Corporate Headquarters within the same pay period the absence occurred;

Request authorization from their supervisor to make-up the time losss later in the work week.

Smoking

We recognize that smoking is a personal choice. You should always exercise courtesy and respect toward the needs of other employees. When the interests of smokers and nonsmokers conflict, we will consider the health of the nonsmokers first.

Smoking is prohibited during store calls or in any other business setting.

10. EMPLOYEE AND COMMUNITY RELATIONS

Communicating With Employees

Good communication within your work group is crucial for efficiency -- if your group communicates well, every member can avoid misunderstandings and duplication of effort.

Your supervisor is expected to promote effective communication within your group. Your supervisor should be the first one to hear about problems that arise. If your supervisor or manager is unable to resolve a communication problem to your satisfaction, discuss it with the next level of management. You may also discuss any issue with a member of the Human Resources Department at Corporate Headquarters.

NMI "Short Cuts"

The Corporate Communications Department sends regular "Shorts Cuts" emails to keep you up-to-date on the latest media coverage of NMI and the video game industry.

Corporate Communications

You must refer any inquiries from the press, television stations, Internet or other media to an officer of the company or to the Corporate Communications Department. No other employee is authorized to comment on any aspect of NMI's business unless:

- the action and material have been specifically authorized in advance; or,
- the employee has been authorized to perform specific media relations responsibilities.

Corporate Giving Program

As a responsible corporate citizen, NMI makes contributions of cash and products to qualified charitable organizations. It is NMI's policy to focus its corporate giving on organizations associated with "health and human services" and "education," both locally and nationally. The Nintendo Corporate Giving Program is designed to:

- provide cash and product donations to qualified charitable organizations;
- encourage employees to contribute to organizations that support our community; and,

- give every employee the chance to share in deciding how Nintendo's charitable contributions are made by participating in the Matching Gift Program.

Matching Gifts

You can receive a matching gift when you make a cash contribution, payroll deduction, or product donation to a qualified non-profit organization. Nintendo matches employee contributions as follows:

- Charitable contributions: Nintendo will match all employee donations of $25 or more to qualified organization.

- United Way: Nintendo will match employee donations to United Way, up to 15% of the employee's annual pay.

- Nintendo products: You may elect to donate cash or products to qualified organizations. You may also request that Nintendo match your gift in the form of cash or product. Nintendo will match these donations product-for-product or dollar-for-product.

If you have worked at NMI for at least six months, you are eligible to participate in the Matching Gifts Program.

For more information on determining a charitable organization's eligibility and on submitting a contribution request, pick up a request of the "Nintendo Matching Gifts Program" form from the Human Resources Department at Corporate Headquarters.

11. TERMINATION OF EMPLOYMENT

At-Will Employment

Our employment relationship is entered into for mutual benefit. Either you or NMI are free to terminate the employment relationship at any time with or without cause. You are free to resign for any reason you feel is appropriate, just as NMI may, for any reason it deems appropriate, with or without notice, decide that your services are no longer needed. All employees, even those who are hired to work on a specific project or for a maximum amount of time, are subject to this at-will policy. No one other than the President has any authority to make any agreement contrary to this at-will policy. Any such agreement must be in writing and executed by the President in order to be effective. You may not, under any circumstances, rely on any other statement, written or verbal, to alter the at-will status of your employment.

Voluntary Separation of Employment

If you decide to leave your employment with NMI, we request that you provide your Regional Manager with a letter of resignation at least two weeks in advance. This letter should give the effective date and the reason for leaving the company. Your Regional Manager will send a copy of your resignation letter to the Human Resources Department at Corporate Headquarters.

In order for us to continually improve our working environment, we would like to know if you have special reasons for leaving NMI and therefore, the Human Resources Department will generally contact you to arrange an exit interview. At this interview, we would like to discuss your reasons for leaving the company and solicit any other feedback regarding your experience at NMI.

Job Abandonment

Any employee who is absent for three or more consecutive days without reporting to his or her supervisor will be considered to have abandoned his or her job and will be considered to have voluntarily resigned, unless a reasonable explanation is offered and accepted by the company. Such employees will not be considered eligible for rehire.

Employment References

If you need to supply a potential employer with a reference from NMI, send a written request to the Human Resources Department at Corporate Headquarters.

Under normal circumstances, we will only confirm your position, your salary or rate of pay per hour and your dates of employment.

Supervisors are not permitted to give written or verbal references for any current or former employee without prior approval from the Human Resources Department at Corporate Headquarters.

Status of Benefits Upon Termination

Health and Welfare Benefits

Upon termination of employment, your existing medical, dental, vision insurance coverage and employee assistance plan coverage continue through the end of the month in which you are employed. Long-term disability and life insurance will end on your last day of employment. COBRA (the Consolidated Omnibus Budget Reconciliation Act of 1985) allows employees to continue coverage under employer group health plans in certain circumstances where coverage would otherwise cease.

Additionally, when a dependent's coverage ends, the dependent may have the option of continuing coverage. In this case, you or your dependent should contact the Compensation & Benefits group in the Human Resources Department at Corporate Headquarters for additional information.

If you wish to convert your group medical or life insurance benefits to individual policies, you may do so by obtaining the appropriate forms from the Compensation & Benefits group in the Human Resources Department. To obtain conversion coverage, you must apply within 31 days of the date coverage ends.

Vacation and Sick Leave

All accrued, unused vacation benefits, as well as all unused sick leave benefits accrued prior to May 9, 1996, will be paid on the regularly scheduled pay day following termination of employment.

401(k) Savings Plan

If you are a participant in Nintendo's 401(k) Savings Plan, your termination date will be provided to our 401(k) provider within two weeks of your final paycheck. You may then access your account through the hotline or website to elect a distribution.